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FILED VIA ECF

Hon. P. Kevin Castel
United States District Judge
United States Courthouse
Southern District of New York
500 Pearl Street
New York, New York 10007

March 21, 2022

United States v. Mauricio HERNANDEZ-PINEDA
(S5) 15 Cr. 379 (PKC)

Dear Judge Castel:

As counsel of record for Mr. Hernandez-Pineda, I am writing to request an adjournment of the next conference in this matter, currently scheduled for March 29, 2022, for another sixty (60) days. I have discussed this with the government, which advises that it consents.

Again, the primary reason for the request is to allow the parties to continue active plea discussions that would obviate the need for trial. These discussions are still ongoing.

I am also still trying to review the voluminous discovery in this matter with my client, and obtaining Spanish-language translations of documents that Mr. Hernandez-Pineda is in the process of identifying.

I am also still in the process of trying to obtain certain documents in Honduras to assist in my client's defense. Once received, they too will have to be translated.

As the Court no doubt previously understood when I submitted my latest request on January 19, 2022, my ability to do any of this over the last number of months has been greatly hindered by the surge of the Omicron variant as part of the ongoing

COVID-19 global pandemic. This had not been a factor when the Court granted us an adjournment in early November 2021 and is the other reason for this request.

As a result of Omicron infections, the Court will recall that Essex County Jail, where Mr. Hernandez-Pineda is housed, suspended all legal visits several months ago. As of this morning, I am advised that such visits have yet to resume. Accordingly, I believe I have been only been able to meet with my client on one occasion since November to review and discuss discovery, the defense investigation and related matters.

For these reasons, we ask that the conference in this matter, currently scheduled for March 29, 2022, be adjourned for sixty (60) days. We would have no objection to an exclusion under the Speedy Trial clock in these circumstances.

If the request to adjourn is granted, we ask the Court to also allow the conference to proceed virtually. Mr. Hernandez-Pineda would consent to waiving his right to be physically present.

We thank the Court for its kind consideration of these matters.

Respectfully submitted,

/s/

HOWARD LEADER

cc: Jason A. Richman, Esq.
Elinor Tarlow, Esq.
Jacob H. Gutwillig, Esq., Assistant United States Attorneys (VIA ECF)